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Remarks/Arguments

Claims 1-3, 5-11, 16-20, 26, 27, 29-33, 36-40, 43, and 44 are pending in this application. Claims 7, 31, and 40 contain allowable subject matter. No claims have been amended herein. Applicants believe no fee is due at this time.

Applicants appreciate the Examiner's willingness to move this application forward through prosecution. In particular, Applicants note that the Examiner believes there is allowable subject matter in claims 7, 31, and 40. Applicants also note the Examiner's acceptance of their substitution of the term "software package" in place of the previously used term "module" in portions of the claims. Again, Applicants appreciate the Examiner's consideration of their application.

The Examiner now rejects claims 1, 3, 5, 6, 10, 11, 18, 20, 26, 29, 30, 36, 38, and 39 under 35 USC § 102(a) as being anticipated by European Patent 1 246 428 to Nokia ("Nokia"). Applicants respectfully disagree with the examiner. In order for a claim rejection under Section 102 to stand, each and every recitation found in the claim must be fairly taught or suggested in the cited reference. There are numerous recitations in Applicants' claims which are not fairly taught or suggested by Nokia. For example, all of Applicants' independent claims recite that the registering of the licensed software package is "substantially transparent" to the user of the mobile device. In the gaming system of Nokia, a user must affirmatively decide to acquire new levels of the game, and "initiate the request for a new games download" using the appropriate links and menus. Col. 1, lines 48-51 of Nokia. Furthermore, all of Applicants' independent claims recite the detection of the license software package being "initially accessed" by a user, or in the case of claim 27, the assembling of a message "upon initial access" of a license software package. Nokia does not disclose any processes or messages that are coordinated with the initial access of any software module. The user in Nokia can access the pre-installed levels of the game anytime without any messaging taking place. Furthermore, even when a user in Nokia obtains additional levels of the game, once the software which implements those additional levels is downloaded, no further messaging occurs on initial access by the user.

Applicants also wish to point out that the entire disclosure of Nokia teaches away from the use of registration messages. Nokia is about downloading software to implement additional levels of a game. Users are charged for downloading that software irrespective of whether the

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software is ever used. Any registration messages would be completely redundant and un-needed in the system of Nokia, thus, Nokia actually teaches away from Applicants' invention. Applicants' invention, as claimed, is about registering already-installed software modules that are actually used by a user of a mobile terminal so that the user does not have to pay for installed software modules that he or she does not use. This concept is completely disjunct from the teachings of Nokia.

The Examiner has rejected claims 2, 8, 9, 16, 17, 19, 27, 32, 37, 43, and 44 under 35 USC § 103(a) as being obvious in view of Nokia and combination with Applicants' admitted prior art regarding encryption. Applicants note that in making this Section 103 rejection, the Examiner relies on Nokia applied to the independent and/or intervening claims as discussed above. All of Applicants' independent claims contain the recitations discussed above, and thus all of Applicants' dependent claims contain these recitations through dependency. Thus claims 2, 8, 9, 16, 17, 19, 27, 32, 37, 43, and 44 are patentable for at least the same reasons discussed above and are not obvious in view of Nokia in combination with Applicants' admitted prior art.

Applicants submit that they have responded to all concerns raised by the Examiner. Reconsideration of the application is hereby requested.

Respectfully submitted,

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